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DePuy, Inc., DePuy International Limited,
Johnson & Johnson Medical Ltd., Johnson &
Johnson Management Limited, Johnson &
Johnson International, Johnson & Johnson,
and Precision Instruments, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROSE MONTEIRO; and
PRISCILLA GORDON,

Plaintiffs,

v.

DEPUY ORTHOPAEDICS, INC.;
DEPUY, INC.; DEPUY
INTERNATIONAL LIMITED;
JOHNSON & JOHNSON
MEDICAL LTD.; JOHNSON &
JOHNSON MANAGEMENT
LIMITED; JOHNSON &
JOHNSON INTERNATIONAL,
and JOHNSON & JOHNSON;
PRECISION INSTRUMENTS,
INC.,

Defendants.

) Case No. 2:12-cv-01576-MMD-CWH

)
)
) **STIPULATION AND PROPOSED**
) **ORDER TO STAY DISCOVERY**
) **AND FOR CONTINUANCE TO**
) **FILE JOINT DISCOVERY PLAN**
) **AND SCHEDULING ORDER**

) **(FIRST REQUEST)**

The parties stipulate and request that the Court enter an order
continuing the deadline for filing a joint discovery plan and scheduling

1 order pending resolution of either: (1) defendants' Motion to Stay Pending
2 Transfer to MDL No. 2197 – *In re: DePuy Orthopaedics, Inc. ASR Hip Implant*
3 *Products Liability Litigation*, (#2); or (2) plaintiffs' Motion to Remand (#6).

4 This is the first continuance sought in connection with this
5 deadline. The parties request it because the Court's disposition of either
6 one of these two pending motions may obviate the need for any discovery
7 or other proceedings in this Court. If the Court grants defendants' motion
8 to stay all proceedings pending MDL transfer, no discovery will be had in
9 this Court. If the Court grants plaintiffs' motion to remand, the Court will
10 no longer have jurisdiction and no discovery or other action will be taken
11 in this Court.

12 The parties thus submit that good cause exists for continuing
13 the deadlines imposed by Fed. R. Civ. P. 26(f) and respectfully request that
14 the Court enter an order continuing the deadline for filing a joint discovery
15 plan and scheduling order until it issues a decision on defendants' motion
16 to stay or plaintiffs' motion to remand. If the Court denies both motions,
17 the parties request that the deadline for filing a stipulated discovery plan
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and scheduling order be set for 15 days after entry of the order(s) denying the motions.

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Johnson, and Precision Instruments,
Inc.

ORDER

IT IS SO ORDERED. The deadline for submitting the joint discovery plan and scheduling order is continued until decision on defendants' motion to stay (#2) and/or plaintiffs' motion to remand (#6). If both motions are denied, the parties shall submit a stipulated discovery plan and scheduling order within 15 days after entry of the order denying the motions.


UNITED STATES MAGISTRATE JUDGE

DATED: October 15, 2012